

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Timothy R. Feldman et al.

Assignee: DPHI Acquisitions, Inc.

Title: A Secure Access Method And System

Serial No.: 09/940,083

Filing Date: August 27, 2001

Examiner: Bayat, B.

Group Art Unit: 3621

Docket No.: M-9793 US

Confirmation No.: 6399

RECEIVED
CENTRAL FAX CENTER

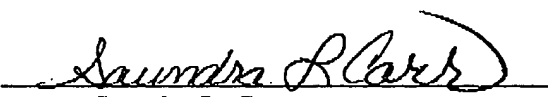
JUN 10 2005

Irvine, California
June 10, 2005Via Facsimile to (703) 872-9306Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that the following documents are being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

- 1) Request for Continued Examination (RCE) Transmittal
- 2) RCE Transmittal Letter, including a copy of the Response to Final Office action faxed to PTO on June 9, 2005.

Dated: June 10, 2005


Sandra L. CarrNumber of pages (including this sheet): 12

LAW OFFICES OF
MACPHERSON KWOK CHEN
& HEID LLP
1762 TECHNOLOGY DRIVE
SUITE 226
SAN JOSE, CA 95110
(408) 752-7040
FAX (408) 392-9262

MacPherson Kwok Chen & Heid LLP
1762 Technology Drive, Suite 226
San Jose, CA 95110
Telephone: (949) 752-7040
Fax: (408) 392-9262 and (949) 752-7049

Fax to USPTO

MacPherson Kwok Chen & Heid LLP

1762 Technology Drive, Suite 226

San Jose, CA 95110

Tel. (408) 392-9250

Fax (408) 392-9262

Email: jhallman@macpherson-kwok.com

2402 Michelson Drive, Suite 210

Irvine, CA 92612

Tel. (949) 752-7040

Fax (949) 752-7049

June 10, 2005

RCE TRANSMITTAL LETTER**Via Facsimile to (703) 872-9306**

Mail Stop RCE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Re: Applicants: Timothy R. Feldman et al.
 Title: A Secure Access Method And System
 Application No.: 09/940,083 Filing Date: August 27, 2001
 Examiner: Bayat, B. Group Art Unit: 3621
 Docket No.: M-9793 US Confirmation No.: 6399

Dear Sir:

Transmitted herewith for filing in the above-identified application are the following documents:

- (1) Certificate of Facsimile Transmission
- (2) Request for Continued Examination (RCE) Transmittal
- (3) This RCE Transmittal Letter with copy of Response to Final Office Action that was faxed to PTO on June 9, 2005

☒ **The Filing Fees Are Calculated as Follows:**☒ Applicant claims Small Entity Status:☐ APPLICANT(S) PETITIONS FOR AN EXTENSION OF TIME AS INDICATED BELOW:

EXTENSION (months)		FEE FOR SMALL ENTITY		FEE FOR LARGE ENTITY
1 month	<input type="checkbox"/>	\$60.00	<input type="checkbox"/>	\$120.00
2 months	<input type="checkbox"/>	\$225.00	<input type="checkbox"/>	\$450.00
3 months	<input type="checkbox"/>	\$510.00	<input type="checkbox"/>	\$1,020.00
4 months	<input type="checkbox"/>	\$795.00	<input type="checkbox"/>	\$1,590.00
5 months	<input type="checkbox"/>	\$1,080.00	<input type="checkbox"/>	\$2,160.00

☒ If an additional extension of time is required, please consider this a petition therefor.☒ RCE Fee Under 37 CFR 1.17(e) for SMALL ENTITY \$395.00☐ Extension of Time Fee as indicated above \$0.00☒ Please charge our Deposit Account in the amount of \$395.00☒ Kindly charge any additional fees required and credit any overpayment to our Deposit Account No. 50-2257**Certification of Facsimile Transmission**

I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Sandra L. Carr June 10, 2005
 Sandra L. Carr Date of Signature

Respectfully submitted,

Jonathan W. Hallman
 Jonathan W. Hallman
 Attorney for Applicants
 Reg. No. 42,622

PTO/SB/30 (09-04)

Approved for use through 07/31/2008. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**Request
for
Continued Examination (RCE)
Transmittal**

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/940,083
Filing Date	August 27, 2001
First Named Inventor	Timothy R. Feldman et al.
Art Unit	3821
Examiner Name	Bayat, B.
Attorney Docket Number	M-9793 US

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. ☒ Other Response to Final Office Action dated June 9, 2005.

b. ☐ Enclosed

i. ☐ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☐ Other _____

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other _____

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a. ☒ Deposit Account No. 50-2257. I have enclosed a duplicate copy of this sheet.

i. ☒ RCE fee required under 37 CFR 1.17(e) 06/13/2005 KBETEMA1 00000034 502257 09940083

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:2801 395.00 DA

iii. ☒ Other Fee Transmittal

b. ☐ Check in the amount of \$ _____ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	<i>Jonathan W. Hallman</i>	Date	<u>6-10-05</u>
Name (Print/Type)	Jonathan W. Hallman	Registration No.	42,622

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	<i>Sandra L. Carr</i>	Date	<u>6-10-05</u>
Name (Print/Type)	Sandra L. Carr		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.